

DEPARTMENT OF THE NAVY
Office of the Chief of Naval Operations
Washington, DC 20350

OPNAVINST 5100.12F
OP-09F
20 July 1990

OPNAV INSTRUCTION 5100.12F

From: Chief of Naval Operations
To: All Ships and Stations (less Marine Corps field addressees not having Navy personnel attached)

Subj: ISSUANCE OF NAVY TRAFFIC SAFETY PROGRAM

- R) Ref:** (a) DODINST 6055.4 of 25 Aug 88 (NOTAL)
R) (b) SECNAVINST 5100.10G (NOTAL)
 (c) OPNAVINST 5100.8G
 (d) DOD Regulation 4500.36-R of Jul 81 (NOTAL)
R) (e) OPNAVINST 5102.1C
R) (f) OPNAVINST 11200.5C (NOTAL)
 (g) OPNAVINST 5560.10B
 (h) NAVFAC Publication P-300 (NOTAL)
 (i) DOD DIRECTIVE 5525.4 of 2 Nov 81 (NOTAL)
 (j) SECNAVINST 5822.1A (NOTAL)
 (k) OPNAVINST 5100.23B
 (l) OPNAVINST 11210.1B (NOTAL)

Encl: (1) Highway Safety Program Standards--Requirements for the Department of the Navy

1. Purpose. To provide policy and guidance for the implementation of a Navy Traffic Safety Program.

2. Cancellation. OPNAVINST 5100.12E.

3. Background. Reference (a) directed the Navy to implement the provisions of Title 23, Code of Federal Regulations, Part 1230 (1973), "Highway Safety Program Standards--Applicability to Federally Administered Areas." Reference (b) issues the Navy Safety and Occupational Health Program and encompasses all safety programs, including the Navy Traffic Safety Program. Reference (c) assigns responsibility for all aspects of mishap prevention specifically directed to motor vehicles both

government and privately owned to the Commander, Naval Safety Center. Reference (d) sets forth the policies and procedures for the management, acquisition and use of motor vehicles. Reference (e) describes the procedures for investigating and reporting motor vehicle mishaps. References (f) through (l) are referred to only in enclosure (1).

4. Definitions

a. Motor vehicles, defined as wheeled vehicles designed for travel on public roads under motor power or assisted by motor power are:

(1) Owned, leased, rented or controlled by individuals in their personal capacities (private motor vehicles).

(2) Owned, leased, rented or controlled by the U.S. Navy or any instrumentality or agency thereof whether acquired or operated with appropriated or nonappropriated funds (Navy motor vehicle), but not including tactical and combat vehicles except as referred to in paragraph 7a(2).

b. Naval stations are defined as naval bases, activities, stations, facilities, installations, and all other property under jurisdiction of the U.S. Navy. **(R)**

5. Scope and Effect

a. Applicability. This instruction applies to motor vehicle operators, passengers and pedestrians as follows:

(1) All Navy military personnel at all times (on and off a naval station).

(2) All Navy civilian personnel in a duty status (on and off a naval station).

(3) All persons in/on any Navy motor vehicle (on and off a naval station).



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(4) All persons at any time on a naval station.

b. Violation

(1) Italicized portions of this instruction and its enclosure are regulatory general orders, apply to all Navy military personnel and civilian employees individually, and need no further implementation.

(2) A violation of italicized portions is punishable under the Uniform Code of Military Justice for military personnel, and is a basis for disciplinary action for civilian employees.

(3) When military personnel or civilian employees are injured as a proximate result of their violation of italicized portions of this instruction, such violation may be considered in determining compensation to which the individual may be entitled as a result of the injuries incurred.

(4) Failure to comply with other provisions of this instruction should be corrected by timely administrative action.

6. Policy and Procedures. It is Navy policy to support a Traffic Safety Program and to implement the provisions of the Highway Safety Program Standards (HSPS) contained in enclosure (1) to the extent that they are relevant to the Navy and the particular command. Commanders, commanding officers, and officers in charge shall establish a traffic safety program and assign an individual, in writing, to maintain and coordinate it effectively.

7. Requirements. The following requirements are established:

a. Safety Standards for Navy Motor Vehicles

(1) Navy motor vehicles, defined here and as further defined in Appendix A to reference (d), shall be equipped with occupant restraint devices and rollover protection when appropriate and shall meet all other applicable

requirements of Federal Motor Vehicle Safety Standards (49 C. F. R. 571). Commercial vehicles of foreign manufacture, purchased for use outside the United States, its territories and possessions, shall meet all applicable safety requirements of the country in which they are to be used.

(2) Compliance with applicable provisions of Federal Motor Carrier Safety Regulations is a Department of the Navy requirement for tactical and combat vehicles. DOD Military Standard 1180A, "Safety Standards for Military Ground Vehicles," 26 January 1983 (NOTAL), provides guidance to ensure that proper safety characteristics are designed into tactical and combat vehicles consistent with the following constraints, listed in order of precedence:

(a) Military mission requirements.

(b) Federal Motor Vehicle Safety Standards and Federal Motor Carrier Safety Regulations.

(c) Requirements of friendly nations within whose borders U.S. vehicles are operated by Navy personnel.

b. Special Requirements for Occupant Crash Protection

(1) **Navy Motor Vehicles.** Navy motor vehicles shall be equipped with safety belts required by Federal Motor Vehicle Safety Standards.

(a) Safety belts shall be maintained in a serviceable condition and shall be readily available for driver and passenger use.

(b) *All persons described in subparagraph 5a(3), operating or riding in, or on any Navy motor vehicle shall use safety belts in a proper manner. Individuals shall not ride in seating positions where safety belts have not been installed, have been removed or rendered inoperative. (Does not apply to passengers riding buses not equipped with safety belts).*

- A) *Additionally, passengers shall not ride in the cargo areas of motor vehicles when prohibited by state or local laws. When not prohibited by law, and vehicle is to be used to carry passengers in the cargo area, the vehicle must be modified to include the installation of safety belts which meet Federal Motor Vehicle Safety Standards 208, 209, and 210.*

(c) All children under age four, weighing less than 40 pounds, shall use an infant or child safety seat in a proper manner,

- R) approved by U.S. Department of Transportation, while riding in a Navy motor vehicle.

(d) *The operator of any Navy motor vehicle is responsible for informing all passengers of all applicable safety belt, child safety seat, and personal protective equipment requirements of this instruction and its enclosure. It is the responsibility of the senior occupant or rider of the vehicle to ensure compliance by all passengers with those requirements.*

(e) Failure to use or malfunction of Navy motor vehicle safety belt assemblies, which result in a reportable personal injury, as defined in reference (e), shall be identified in Items 12 and 17 of the Motor Vehicle Mishap Report, (Report Symbol OPNAV 5102-4 (MV)) (see appendix C of reference (e)), fully explaining why safety belts were not used by the injured person, or, in cases of malfunction, what caused the malfunction, and what remedial actions were taken to prevent recurrence.

(2) Private Motor Vehicles

(a) *All persons described in subparagraph 5a, operating or riding in, or on any private motor vehicle, shall use safety belts in a proper manner. Individuals shall not ride in seating positions where safety belts have not been installed, have been removed or rendered*

- R) *inoperative.* (Does not apply to passengers riding in forms of public transportation when safety belts are not available or have been rendered inoperative; nor does it apply to historic/antique vehicles being driven to/from/in

parades/displays, etc.). *Additionally, passengers (A shall not ride in the cargo areas of motor vehicles when prohibited by state or local laws. When not prohibited by law, and the vehicle is to be used to carry passengers in the cargo area, the vehicle must be modified to include the installation of safety belts which meet Federal Motor Vehicle Safety Standards 208, 209, and 210.*

(b) All children under age four, weighing less than 40 pounds, shall use an infant or child safety seat in a proper manner, approved by the U.S. Department of Transportation, while riding in a private motor vehicle on a naval station. *Parents/guardians of (R newborn infants shall ensure that all newborns are placed in an approved child safety seat prior to transporting home from naval hospitals or clinics.*

(c) *The operator of any private motor vehicle on any naval station is responsible for informing all passengers of applicable safety belt, child safety seat, and personal protective equipment requirements of this instruction and its enclosure, and for ensuring compliance by all passengers with those requirements.*

8. Operating Motor Vehicles Outside the United States. The term "outside the United States" as used in this paragraph means outside the fifty states and the District of Columbia. The requirements in this instruction for wearing personal protective equipment apply outside the United States to the extent applicable agreements and relations with host governments permit application of these requirements or any part of them. Where these requirements may be applied, protective devices must be utilized consistently with standards established in this instruction.

9. Speed Limits. Commanders, commanding officers, and officers in charge of naval stations shall enforce strict compliance with state and host nation speed limits and posted activity speed limits as applicable. Speed limits aboard naval (R

stations shall be based on traffic engineering studies that meet the requirements of Highway Safety Program Standards 12 and 13 and shall be consistent with state and local laws.

R) 10. Maximum Driving and On-Duty Time.

This paragraph pertains only during peacetime conditions and to full-time motor vehicle operators, such as over-the-road truck and bus drivers, school bus drivers, security patrol vehicle operators and operators of vehicles carrying explosives or other hazardous cargo during peacetime conditions.

R) a. *No person shall drive or require another to drive a motor vehicle during any duty period if that duty period was not preceded by at least eight consecutive hours off duty.*

R) b. *In any duty period a person may not drive or require another to drive a motor vehicle for more than a total of ten hours, or after having been on duty for fifteen hours, or after eight hours if the vehicle is carrying explosives or other hazardous cargo. (If vehicle carrying explosives or other hazardous cargo makes an off-station trip requiring more than 8 hours driving time, two drivers shall be assigned. Assigned drivers shall relieve each other of driving responsibility and may drive no more than eight hours each. Total driving time for both drivers shall not exceed ten hours).*

c. Fire truck and crash and rescue vehicle drivers who are assigned to 24-hour rotating shifts with sleeping accommodations are exempt from the above duty time restrictions.

11. Portable Headphones, Earphones, or Other Listening Devices. *Wearing portable headphones, earphones, or other listening devices while operating a motor vehicle or while jogging, walking, bicycling, or skating on roads and streets on naval stations is prohibited. American National Standards Institute D.16.1-1983 (NOTAL) defines a road as "... that part of a trafficway which includes both the roadway and any shoulder alongside the roadway." This does not include hearing aids nor does it negate the requirement for wearing hearing protective*

equipment where conditions dictate their use, or when communications type equipment is being used for official Navy business. **(R)**

12. Alcoholic Beverages. *While on any DOD installation, the operator/passenger(s) of a motor vehicle are prohibited from having open containers of alcoholic beverages in their possession. Further policy governing intoxicated driving is established in reference (a).* **(A)**

13. Radar Detection Devices. *The use of radar detection devices to indicate the presence of speed recording instruments or to transmit simulated erroneous speeds is prohibited on DOD installations.* **(A)**

14. Action. All echelons of command shall implement a traffic safety program in compliance with the policy and provisions of this instruction.

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**HIGHWAY SAFETY PROGRAM STANDARDS (HSPS)
REQUIREMENTS FOR THE DEPARTMENT OF THE NAVY**

Reference (a) directed the Navy to implement the provisions of Title 23, Code of Federal Regulations, Part 1230 (1973), "Highway Safety Program Standards—Applicability to Federally Administered Areas." Highway Safety Program Standards (HSPS) requirements for the Department of the Navy are set forth in this enclosure. These requirements are the minimum required by the Department of Defense (DOD). As training programs and other relevant programs are developed which may affect these requirements, further guidance and assistance will be issued as changes to this instruction.

1. Periodic Motor Vehicle Inspection (HSPS No. 1). In addition to the inspection requirements contained in reference (d), all Navy motor vehicles shall be required to pass, at least annually, a safety inspection which conforms to state requirements. In states where there are no annual safety inspection requirements, the annual inspection shall evaluate systems, subsystems, and components having substantial relation to safe vehicle performance including safety belts, lighting, glazing, exhaust systems, wipers, horns, brake systems, steering systems, suspension systems, tires, and wheel assemblies.

a. The inspection shall also ensure that exhaust emissions do not exceed Federal, state, or municipal limitations.

b. Periodic inspection of privately owned motor vehicles regularly operated on naval stations is primarily the responsibility of the licensing state. Commanders, commanding officers, and officers in charge are authorized to require a valid state safety inspection, at least annually, from any state or the District of Columbia as a prerequisite to authorizing regular operation of privately owned vehicles on a naval station.

c. Commanders, commanding officers, and officers in charge shall ensure vehicle equipment laws are enforced in connection with other law enforcement activities in compliance with reference (f).

d. Commanders, commanding officers, and officers in charge of naval stations in foreign countries may modify inspection procedures in accordance with host-nation treaties or Status of Force Agreements.

Enclosure (1)

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- R) 2. **Motorcycle Safety (HSPS No. 3).** The term motorcycle in this enclosure shall apply to government and privately owned motorcycles (both street and off road versions), motor scooters, motorized bicycles with or without pedals and all terrain vehicles (ATVs). The term "operator" in this section shall apply to all persons described in subparagraph 5a of the basic instruction.
- R) a. Regional coordinators shall ensure approved motorcycle safety training is available for all personnel operating motorcycles in their areas. Commanders, commanding officers, and officers in charge shall ensure all their personnel operating motorcycles attend approved Naval Safety Center (NAVSAFECEN) motorcycle safety training.
- R) b. *Each operator of a motorcycle shall successfully complete the Motorcycle Safety Foundation's Motorcycle Rider Course - Riding and Street Skills (MRC-RSS) or other training approved by the Naval Safety Center. Each operator of an all terrain vehicle (ATV) shall successfully complete the All Terrain Vehicle Safety Institute (ASI) ATV RiderCourse or other training approved by the Naval Safety Center. The motorcycle and ATV courses shall be conducted by NAVSAFECEN approved instructors.*
- c. Prior to being issued a vehicle registration decal for on station operation, each registrant or operator of a privately owned motorcycle shall have a motorcycle safety course completion card signed by an approved instructor. This requirement is in addition to those requirements contained in reference (g).
- d. *Motorcycle operators shall ensure headlights are turned on at all times, while the motorcycle is being operated, except where prohibited by Status of Force Agreements or state or local laws. (Does not apply to ATV's not factory equipped with headlights).*
- R) e. *When operating or riding a motorcycle, individuals shall properly wear or use the following personal protective equipment:*
- (1) *A properly fastened (under the chin) protective helmet that meets U. S. Department of Transportation (U.S. DOT) standards. When a U. S. DOT approved helmet is not available outside the United States, a helmet that meets or exceeds U.S. DOT standards or the host nation standards shall be worn. It is recommended a minimum of four (4) square inches of retro reflective material be attached to each side and back of the helmet.*
- R) (2) *Properly worn eye protective devices which are defined as impact or shatter resistant eyeglasses, goggles, or face shield attached to the helmet. A windshield or fairing is not considered to be proper eye protection.*

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(3) *Properly worn long sleeved shirt or jacket, long-legged trousers and full-finger leather or equivalent gloves.*

(4) *Properly worn hard-soled shoes with heels. (Riders are encouraged to properly wear over the ankle shoes or boots).*

(5) *Properly worn as an outer garment, a commercially available, brightly colored, mesh or fabric safety vest with retro-reflective vertical, horizontal or diagonal strips front and back with a minimum of 130 square inches of reflective area; 65 square inches on the front and 65 square inches on the back.*

(R)

f. *Operators of privately owned motorcycles authorized to operate on a naval station shall be currently licensed by civil authorities to operate motorcycles on public highways, except where not required by Status of Force Agreements or state or local laws. Where state or local laws require special licenses to operate privately owned motorized bicycles (mopeds), motor scooters, and all terrain vehicles (ATVs), such license requirements, as a minimum, shall apply to operation of those vehicles on naval stations.*

g. License and equipment requirements for motorcycles shall conform to host nation, state and local traffic codes.

h. *Government-owned (non-tactical) and privately owned motorcycles, motor scooters, MOPEDS, and all terrain vehicles operated on naval stations shall not be operated without a rear view mirror mounted on each side of the handlebars or the left and right side of the fairing, where applicable.*

(R)

i. For information concerning motorcycle safety, contact the Motor Vehicle Safety Division, Naval Safety Center, Naval Air Station, Norfolk, VA 23511-5796, Commercial (804) 444-1470 or Autovon 564-1470.

3. Driver Education (HSPS No. 4)

a. The Chief of Naval Education and Training shall provide all military personnel under 26 years of age who possess a drivers license or who are required to operate military vehicles with a minimum of eight (8) hours of classroom instruction in traffic safety designed to establish and reinforce a positive attitude toward driving. Individual responsibility and correct response to routine and emergency driving situations will be stressed. Such education will be given as soon as practical after entry into the Navy.

b. A driver improvement course shall be established and used to reinforce positive attitudes and motivate persons who have been convicted of serious moving traffic violations or who have been determined to have been at fault in a traffic mishap while operating a Navy motor vehicle.

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Offenders, military or civilian, driving private vehicles on a naval station shall successfully complete such a course as a condition of continued authorized use of their vehicle on base.

Commands shall use the American Automobile Association's Driver Improvement Program (AAA DIP) conducted by a NAVSAFECEN approved instructor or other training recognized by

- A) NAVSAFECEN. AAA DIP instructors shall not instruct unless they have been recertified within the previous three years.

c. In addition to driver selection and training requirements set forth in enclosure (1) to reference (d) the following training is required:

- R (1) *Individuals shall not be assigned as a driver of Navy police vehicles, ambulances, fire trucks, and crash and rescue vehicles until they have successfully completed the National Highway Traffic Safety Administration's Emergency Vehicle Operator Course (EVOC) conducted by a NAVSAFECEN approved instructor, or other training approved by the Naval Safety Center. Operators shall complete this training every three years thereafter, to ensure competency in the safe operation of such vehicles. EVOC instructors shall not instruct unless they have been recertified within the previous three years.*
- A) Safety Center. Operators shall complete this training every three years thereafter, to ensure competency in the safe operation of such vehicles. EVOC instructors shall not instruct unless they have been recertified within the previous three years.
- R) (2) Operators of Navy-owned school buses transporting dependent school children shall successfully complete the National Highway Traffic Safety Administration's School Bus Operator Course or other training approved by NAVSAFECEN.

(3) The additional training required in paragraphs 3.c.(1) and (2) shall include the following elements:

- (a) Applicable laws and regulations.
- (b) Safe operating practices under normal and emergency conditions.
- (c) Operator inspection and primary preventive maintenance.

(4) A certifying official shall indicate to the individual responsible for issuance of the U.S. Government Motor Vehicle Operator's Identification Card (OF-346) that the individual driver has met the above requirements and fully understands the operational peculiarities of the vehicle. This required training shall be documented on the operator's personnel record.

d. For information concerning the above, contact the Motor Vehicle Safety Division, Naval Safety Center, Naval Air Station, Norfolk, VA 23511-5796, Commercial (804) 444-3344 or Autovon 564-3344.

4. Driver Licensing (HSPS No. 5) Minimum DOD licensing procedures are in Chapter 9 of reference (d). Reference (h) contains Navy policy and procedures for testing and licensing vehicle and equipment operators.

5. Codes and Laws (HSPS No. 6) State vehicular and pedestrian traffic laws that are now, or may hereafter be, in effect shall be expressly adopted and made applicable on naval stations to the extent provided by reference (i). *All persons on a naval station shall comply with the vehicular and pedestrian traffic laws of the state in which the station is located.* Penalties for violations are prescribed in Title 40, U.S.C. 318C and reference (i).

6. Traffic Courts (HSPS No. 7)

a. In the interest of impartial judicial determination and effective law enforcement, traffic violations occurring on naval stations within the United States or its territories may be referred to the appropriate United States Magistrate or state or local system magistrate, provided there is compliance with reference (j). Exceptions should be made where cases are susceptible to disposition by local military authority by means of an on-base traffic court or other similar proceedings where military discipline is a paramount consideration, or where the local court system having jurisdiction does not accept certain offenses for disposition. (R)

b. *Individuals shall not be authorized to operate Navy motor vehicles during the following:* (R)

(1) *Periods of suspension or revocation of operator's license by any state or host nation.*

(2) *Periods while base driving privileges are suspended or revoked for driving under the influence of alcohol or other drugs and/or other traffic violations which constitute a "moving violation" of base, state, federal or host nation traffic codes.*

7. Mishap Investigation, Reporting and Analysis (HSPS Nos. 9, 10 and 18)

a. All mishaps which involve Navy motor vehicles shall be reported under reference (e). Private motor vehicle mishaps shall be reported under reference (e). Reporting requirements of this paragraph are separate and independent of investigations and reports required by the Manual of the Judge Advocate General (JAGMAN) where a mishap involves injury to military personnel, potential claims by or against the government, or otherwise raises issues concerning efficient command or administration that are appropriately addressed in a JAGMAN investigation. Review JAGMAN for investigation and reporting requirements. (R)

b. A Traffic Safety Council shall be established at each naval station. Joint Councils may be formed where commands are contiguous. Membership of the council shall include representation from all major commands located at these stations. Membership shall be at the direction and discretion of the station commander. The primary mission of the Council shall be:

(1) To analyze traffic mishap and violation experience within its respective jurisdictions.

(2) To monitor all on-base road networks and off-base road networks in close proximity of naval stations, such as access roads and routes heavily traveled by DOD vehicles.

(3) To identify mishap locations and analyze high mishap incidence locations. Analysis shall include identification of design and operating features with potentially high mishap frequency or severity. Military police and safety organizations will present these data to installation organizations responsible for highway design, construction, maintenance and traffic engineering for the purpose of analysis and initiation of appropriate improvements. This data will be provided to the Military Traffic Management Command.

(4) To maintain close cooperation and coordination with local and state officials to resolve mutual traffic safety problems.

(5) To make recommendations to the host naval station commanding officer of identified deficiencies in risk ascension order, defined in reference (k), taking into account severity of hazard and probability of a mishap occurrence.

c. Commanders, commanding officers, and officers in charge of naval stations shall:

(1) Take immediate action to eliminate or reduce hazards associated with imminent danger situations.

(2) Establish a systematic prioritized program under reference (k) to correct or reduce unsafe conditions identified by the Traffic Safety Council.

(3) Inform personnel through safety meetings, safety indoctrination programs, plan of the day notices, etc., of identified hazards, abatement projects, and alternate routes.

8. Highway Design, Construction and Maintenance (HSPS No. 12). Road networks of naval stations shall be maintained in a safe condition. Capital improvements to modernize existing roads or to provide new traffic facilities shall meet safety standards issued or endorsed by the Federal Highway Administration, U.S. Department of Transportation. Compliance shall be evaluated periodically by the Commander, Military Traffic Management Command, under reference (a).

9. Traffic Engineering Services (HSPS No. 13). Under DOD Directives 5160.53 of 24 March 1967 (NOTAL) and 5160.60 of 26 April 1973 (NOTAL), (implemented by reference (1)), the Military Traffic Management Command (MTMC), under Department of the Army, is to coordinate and ensure DOD implementation of Highway Safety Program Standard No. 13, and to coordinate with the Federal Highway Administration and other governmental and nongovernmental agencies, as required or appropriate. To ensure information and techniques sharing, MTMC shall be provided a copy of the installation traffic control devices plan and the associated scheduled maintenance plan.

10. Pedestrian Safety (HSPS No. 14). Pedestrian safety shall receive emphasis throughout Department of the Navy as a part of the overall traffic safety program. Commanders, commanding officers, and officers in charge shall, whenever possible, make special provisions for separation of pedestrians and motor vehicle traffic. Provisions shall be made for adequate sidewalks, pedestrian crossings, and bicycle paths to ensure maximum safe traffic flow without jeopardizing pedestrian safety.

a. The provisions of this subparagraph pertain only to personnel jogging on roads and streets (R on naval installations. *Personnel are not authorized to jog on main roads and streets on naval installations with high traffic density and during peak traffic periods.* (Peak traffic periods and roads and streets with high density traffic for the locale shall be defined and published by local commanders). Jogging on roads and streets on naval installations should be avoided; personnel should be encouraged to use jogging facilities when available. *When jogging on roads and streets, personnel shall jog in patrolled areas and wear light colored clothing. During periods of reduced visibility, i.e., nighttime, fog, rain, etc., personnel shall wear retro-reflective clothing. Personnel shall jog facing traffic and obey traffic rules and regulations.*

b. Particular emphasis shall be placed on protection of children walking to and from school, entering and leaving school buses, and playing in Navy housing areas.

c. *Appropriate fluorescent or retro-reflective personal protective equipment shall be provided to and used by all personnel who are exposed to traffic hazards in their assigned duties, e.g., traffic control personnel and roadway maintenance and construction crews, electricians, or telephone repair personnel working on outside overhead lines.*

11. Pupil Transportation Safety (HSPS No. 17). Navy operated school buses shall be marked, equipped, operated and maintained per reference (h). In addition, private contractors shall comply with state and local requirements.